7: Joest--62 E-5 (no date) 1882 Formosan Aborigines
674 Chin-hoan

During my entire stay with the Chinwans, however, they never stole anything from me, although I had to pay a high price for everything I bought from them.

22: Wiedfeldt--41-42 F-5 (1913) 1914 Formosan Aborigines-1-2
116, 674, 681 Atayal

Recognized legal customs are seldom violated by the Atayals. In the course of two years there were said to have been in one tribe one case of adultery, three thefts, and four murders. These three types of offenses against the law are recognized by them, and so they protect the most important social principles: life, family, and property. They punish adultery more severely than is customary in modern times, because of the high esteem in which the family is held...and because of their solidarity with the injured member of the clan. The Atayals, like ourselves, distinguish three kinds of offenses: a delict--to use our expression--for example, killing a person in the hunt; a misdemeanour, for example, the killing of a member of the tribe; a crime, for example, the killing of a member of the clan. They have three corresponding degrees of punishment: a fine, compensation derived from the offender's property by means of a fine or burning his hut, and the death penalty, from which there is no appeal. It is less surprising that they do not know anything about depriving a person of freedom as a means of punishment, --which would be difficult to do, anyway, --than that they have not adopted the practice of corporal punishment in spite of the fact that they have long been neighbors of the Chinese. If the fine is not paid, the death penalty is applied. After all, that failure to pay the fine is a sign that the members of the clan reject the criminal. The punishments may be accumulated, for example, in the case of adultery. Since the punishment is an attempt to settle and avenge the offense, it almost always includes a fine paid to the injured party or to his clan. [42] It is not a fixed sum, but is adjusted

according to the demands of the clan, the seriousness of the offense, and the capacity of the offender to pay. Finer legal distinctions of other kinds are not unknown to the Atayals, for example, premeditation, mitigating circumstances, or the distinction between adultery on the part of the woman and adultery on the part of the man, a distinction which has been obliterated in modern times...

25: Haut--41 [5] U-4 (no date) 1903 Formosan Aborigines
116, 627, 674, 685

Theft is unknown among some of the tribes. Among others it is very rare, and it is usually handled in such a way that the thief is required to restore the stolen property, or its equivalent, and to pay an additional fine.

34: Del Re--16 U-4 (no date) No Date Formosan Aborigines
116, 181, 609, 674, 829 Yami

"According to the reports published by scientific expeditions, the Yami live in a kind of idyllic natural state which might, indeed, have served as model for some of the 'naturist' utopias beloved of XVIIIth century philosophers, the essential features of which may be seen practised on Botel-Tobago. To give one instance. As far back as the oldest inhabitant is able to recollect, or at least since forty years ago when the Japanese first stationed a couple of policemen on the island, there has been no record of a single case of theft or violence among the natives. The wholesale execution of the crew of an American vessel wrecked there a few years previously of whom only two managed to escape, can hardly be considered as an exception since it appears to have been due to ritual reasons. Apart from the naturally peaceful temper of the Yami, the absence of crime is attributable less to the fact that these and other misdemeanours such as adultery are considered as crimes in themselves or as immoral actions, than to the fact that the tribe looks upon them as undesirable."